

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

ex rel. ANNE E. MITCHELL,

Plaintiff/Relator,

vs.

UNITED MEDICAL SYSTEMS (DE), et al.,

Defendants.

Civil No. 11-10090

Honorable Victoria A. Roberts
Magistrate Judge Mona K. Majzoub

**UNITED STATES' NOTICE OF
CONSENT TO DISMISSAL
WITHOUT PREJUDICE AND
REQUEST TO UNSEAL**

**LODGED CONCURRENTLY:
PROPOSED ORDER**

FILED IN CAMERA & UNDER SEAL
(AS REQUIRED BY 31 U.S.C. §
3730(b)(2))

Relator Anne Mitchell has filed a document in the above-captioned action seeking to dismiss her complaint without prejudice to the United States. Pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(1), the United States notifies the Court that, in the interest of justice, it consents to the dismissal of this action, provided that the dismissal is without prejudice as to the United States.

The United States requests that the relator's Complaint, this Notice, and the attached proposed Order be unsealed. The United States requests that all other papers on file in this action remain under seal because in discussing the content and extent of the United States' investigation, such papers are provided by law to the Court alone for the sole purpose of evaluating whether the seal and time for making an election to intervene should be extended.

A proposed order accompanies this Notice. Relator's counsel has been served with a copy of this Notice.

Respectfully submitted,

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Attorneys for the
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Dated: August 20, 2012

CERTIFICATE OF SERVICE

I hereby certify that I have mailed by United States Postal Service the paper to relator's counsel Louis Szura at Frank Haron Weiner, 5435 Corporate Drive, Suite 225, Troy, MI 48098.